

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES of AMERICA,  
Plaintiff,

v.

Crim. A. No. 05-440-01

ALTON COLES,  
Defendant.

Motion to Return Property

Comes now, Alton Coles (Hereinafter "Defendant") moving this Court, pursuant Federal Rule of Criminal Procedure. Rule 41(g) and USCS § 2401(a), for an order requiring the United States government and its agencies of similar interest to return various properties seized as a result of the above styled matter. In support of this motion, Defendant relies upon the following grounds:

1. On December 18th of 2007, the criminal trial in the matter of *U.S. v. Coles, et al.*, commenced in the district court of the Eastern District of Pennsylvania (Philadelphia) before the Honorable Judge Surrick. Notably, said trial lasted until March 3rd of 2008.

2. Specifically, several items where unconstitutionally and improperly seized on August 10th of 2005. None of the items (i.e. personal property) seized prior to trial where in connection with the allegations of complaint. None of the properties of which are non contraband and of legal disposition, where depended upon and/ or utilized by the government during the aforesated trial for evidentiary purposes.

3. In addition, all unconstitutionally and improperly seized items where, either, of personal/ sentimental value and/ or of a legal business nature. (*see Property Addendum as attached hereto*)

WHEREFORE, based upon the foregoing, Defendant respectfully requests that this Court order the government agencies of concern to return the legal items and personal properties of which rightfully belong to the Defendant.

Respectfully submitted,

Alton Coles

July, 1, 2014

ADDENDUM FOR MOTION TO RETURN PROPERTY

A. Springfield Avenue Studio (Philadelphia)

- 1) Master Tapes for Movie "Menace".
- 2) Pictures, C.D.'s, DVD's (and various other studio equipment),  
miscellaneous documents and/ or papers, etcetera.

*Note: boxes of DVD's, CD's, pictures*

B. 292 Yorktown-Mannington Road (New Jersey)

- 1) Pictures, Fur Coats, Lap top computer, Personal Computer, including any and all other miscellaneous items some of sentimental value (i.e. suites, clothes, shoes, mail, receipts, rolodex etc.)

C. 117 Dillon Lane, Mullica Hill (New Jersey)

- 1) Pictures, Fur Coats, Personal Computer, Jewelry, including any and all other miscellaneous items some of sentimental value (i.e. suites, clothes, shoes, mail, receipts, rolodex etc.)

Jewelry [specific] : white gold chain with diamond "T.D." medallion, white gold bengal diamond bracelet, white ring with diamonds, platinum diamond ring, and a Luminor watch with diamond bezel.

D. 1416 Clearview Street (Philadelphia)

- 1) Pictures, clothes, shoes, including any and all other miscellaneous items some of sentimental value.

*Alton Coles*

Alton Coles, Defendant

July 1, 2014

IN THE DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,  
Petitioner,

v.

Crim. A. No. 05-440-01

ALTON COLES,  
Defendant.

CERTIFICATE OF SERVICE

I, Alton Coles, do hereby certify that I have served the foregoing **Motion to Return Property** upon the respondent by depositing a true copy of same in the U.S. Mail, postage prepaid, upon the following counsel of record on September 3rd of 2010 :

Richard Lloret AUSA  
U.S. Attorneys Office  
Eastern District of Pennsylvania  
615 Chestnut St., Suite 1250  
Philadelphia, Pennsylvania 19106

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*Alton Coles*  
/S/ Alton Coles

Alton Coles # 59791-066  
United States Penitentiary, Big Sandy  
P.O. Box 2068  
Inez, Kentucky 41224

Resubmitted: July 1, 2014